C482 No. 254 of 2002

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the petitioner and the A.G.A.

The petition u/s 482 Cr.P.C. has been filed to summon the witnesses examined in the sessions trial on the plea that the identity of the witnesses could not be fixed on the basis of their names etc noted down in their statements. To bring home this point, the learned counsel submitted that the names of the father of the witnesses have not been given. Photocopies of the statements recorded have been filed. Perusal of these indicate that the witnesses are from Armed Force and their identity with reference to the Unit to which they are attached has been given in the statements. This description is sufficient to fix the identity of the witnesses. There is no merit in the contention that since the identity of the witnesses could not be fixed, they need to be recalled for re-examination. Considering this, there is no force in the petition and the same is dismissed accordingly.

(Irshad Hussain, J.)

August 14, 2002
M.P.S